

**IOWA DEPARTMENT OF NATURAL RESOURCES  
RESCISSION OF ADMINISTRATIVE ORDER**

**RECEIVED  
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Director's Office**

**IN THE MATTER OF:**

**COUNTRY TAVERN, INC.,  
DBA THE CATFISH PLACE**

**Public Water Supply Facility  
No. 7052204**

**RESCISSION OF  
ADMINISTRATIVE ORDER**

**NO. 2012-WS-01**

**To: Terren Byers, President  
Country Tavern Inc.  
P.O. Box 185C, RR1  
Arbelia, MO 63442**

Administrative Order No. 2012-WS-01 (order) concerning Country Tavern, Inc., dba The Catfish Place, a restaurant located at 425 Main Street, Nichols, Iowa was issued on January 10, 2012 by the Iowa Department of Natural Resources (Department). The order was issued to Terren Byers, President of Country Tavern, Inc. Following issuance of the order, a timely appeal was filed on February 27, 2012.

1. Ms. Byers' position in the appeal and in discussions with the Department were to the effect that Country Tavern, Inc., dba The Catfish Place was not a public water supply (PWS) facility based on the number of persons served at the restaurant over the past two years. Ms. Byers maintained that the restaurant was not a PWS based on her records of persons served over the past two years at the restaurant. She submitted her information to the Department's Water Supply Operations Section (WSOS) for review. The information in the order concerning the average number of persons served per day and the number of days per week that the restaurant was open was based on past communications from the restaurant owner to the Department.

2. Following review of the information from Ms. Byers to the Department's WSOS, it was determined that The Catfish Place was not a PWS based on Ms. Byers' records of persons served at the restaurant in recent years. Based on this determination, the order issued concerning The Catfish Place is rescinded and no longer in effect from the date of issuance of this rescission. Ms. Byers has been contacted concerning this rescission and is in agreement with the rescission of the order and dismissal of the appeal.

For questions contact:

Diana L. Hansen, Staff Attorney  
Iowa Department of Natural Resources  
502 E. 9<sup>th</sup> Street  
Des Moines, Iowa 50319  
Phone (515) 281-6267

  
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ROGER L. LANDE

DIRECTOR

IOWA DEPARTMENT OF NATURAL RESOURCES

Dated this 3rd day of

May, 2012

Country Tavern, Inc. dba The Catfish Place- Water Supply Facility No. 7052204, Cecilia Naughton- Water Supply Operations Section, Ryan Stouder- Field Office No. 6, Diana Hansen- Legal Services Bureau, II.B.2 a.(1), II.B.2 a(2); II.B.2.c.(2); II.B.2.e.; II.B.2.g.